

DUCKET FILE COPY ORIGINAL  
Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington D.C. 20554

**RECEIVED & INSPECTED**  
AUG 31 2007  
FCC - MAIL ROOM

In the Matter of )  
)  
**PENDLETON C. WAUGH, CHARLES M.** ) EB Docket No. 07-147  
**AUSTIN, and JAY R. BISHOP** )  
)  
**PREFERRED COMMUNICATION** ) File No. EB-06-IH-2112  
**SYSTEMS, INC.** ) NAL/Acct. No. 200732080025  
)  
Licensee of Various Site-by-Site Licenses in ) FRN No. 0003769049  
Specialized Mobile Radio Service. )  
)  
**PREFERRED ACQUISITIONS, INC.** ) FRN No. 0003786183  
)  
Licensee of Various Economic Area Licenses )  
In the 800 MHz Specialized Mobile Radio )  
Service. )

**PETITION TO INTERVENE**

This Petition to Intervene is filed pursuant to 47 CFR 1.223. On July 20, 2007, the Federal Communications Commission ("FCC") released an *Order to Show Cause and Notice of Opportunity for Hearing*—FCC 07-1025 ("Order"), which was published in the *Federal Register* on August 1, 2007 in Vol. 72, No. 147 at 42088. In general, the Order commences a hearing proceeding ("Proceeding") to determine, whether or not, certain FCC licenses ("Licenses") held in the name of Preferred Communication Systems, Inc. ("PCSI") and its wholly-owned subsidiary – Preferred Acquisitions, Inc. ("PAI") – [collectively referred to as "*Preferred*"], should be revoked and will also consider forfeitures not to exceed \$5,280,000.

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In this Petition to Intervene (“Petition”), I (Charles D. Guskey), do hereby petition to be designated as a “party in interest,” pursuant to 47 CFR 1.223(a), or as an alterative, be entitled to participate as a party in the Proceeding pursuant to 47 CFR 1.223(b).

This Petition is based, in part, on my having a substantial financial interest (in excess of \$1 Million, principle plus accrued interest, as a creditor of Preferred) in Preferred. Consequently, the revocation of Preferred’s licenses (*its only substantive asset*) and/or substantial forfeitures will be financially devastating for me. Additionally, I have had direct involvement in varying degrees (at times significant) at different points in Preferred’s business endeavors. Consequently, my personal knowledge and direct involvement in certain of Preferred’s business dealings may be beneficial in assisting the FCC in reaching the determinations that are the focus of this Proceeding.

The following are areas where I consider my involvement to have been significant.

- (1) **BUSINESS PLAN** -- I personally prepared a comprehensive business plan for certain of Preferred’s operations.
- (2) **STRATEGIC ACQUISITION** -- It was Preferred’s plan to acquire an existing 800MHz system operator in Puerto Rico. This acquisition would facilitate and accelerate Preferred’s launch of a competitive wireless system in Puerto Rico. The target company already had island-wide coverage, but with limited capacity and only traditional dispatch technology. In furtherance of this acquisition, I was involved as follows:
  - (a) Participated in acquisition negotiations;
  - (b) Personally handled final contract terms and documentation;

- (c) Personally handled several months of “due diligence” work and analysis;
- (d) Personally was Preferred’s contact point with owner and president of target company.
- (3) **JOINT VENTURE PARTNER** – Participated in extensive discussions with potential joint venture partners.
- (4) **EQUIPMENT ACQUISITION AND DEPLOYMENT** – Preferred planned to use iDen based technology, manufactured by Motorola, in its systems. To that end, I participated directly in obtaining and analyzing equipment proposals from Motorola. Additionally, I attended numerous meetings with Motorola representatives at their corporate headquarters in Illinois, at regional offices in Florida and in Puerto Rico. On several occasions, I was the only representative from Preferred at the meeting.
- (5) **PRINCIPLE FINANCING** – The vast majority of Preferred’s capital was obtained from one source – Mr. Chandu Patel. Mr. Patel (personally or via a controlled entity) provided over \$30 Million in capital for Preferred. I attended meetings and had telephone conversations with Mr. Patel, often as one-on-one between Mr. Patel and myself. Project status and future plans were the primary topics of conversation. Mr. Patel died several years ago.
- (6) **FCC - 800MHz Proceeding #02-55** – The FCC’s proceeding to improve public safety communications by rebanding the 800 Mhz frequencies has had a significant impact on Preferred, that dovetails into some of the issues in Preferred’s revocation and forfeiture proceeding. I have extensively followed and analyzed this issue.

I participated in the above not only because I had a vested interest in Preferred’s success, but furthermore, was qualified to do so. I have over 25 years experience in business and finance.

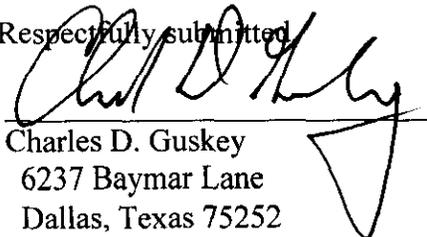
My work experience includes being a C.P.A (certified public accountant) for what was then a “Big-8” accounting firm. Additionally, I was a vice president, treasurer and chief financial officer of a “public” company in the telecommunications industry.

One final comment supporting this Petition. One might think that my personal interests are the same as Preferred’s, thus my interests will be adequately represented/protected by Preferred. This is not the case. Over two-and-a-half years ago, Preferred and I had what I’ll describe as a “falling-out.” Consequently, I have not spoken with or had any substantive interaction with anyone associated with Preferred since December 2004. The only interaction was a couple of e-mails/phone messages to set up a meeting that never occurred. As best I can recall, this was over a year ago.

The above is supported by the attached affidavit.

**RELIEF REQUESTED.** For the reasons stated above, I (Charles D. Guskey), do hereby petition to be designated as a “party in interest,” pursuant to 47 CFR 1.223(a), or as an alternative, be entitled to participate as a party in the Proceeding pursuant to 47 CFR 1.223(b).

Respectfully submitted,



Charles D. Guskey  
6237 Baymar Lane  
Dallas, Texas 75252

Telephone: 972-250-1890

Date: August 30, 2007

**AFFIDAVIT OF**  
**CHARLES D. GUSKEY**  
**IN SUPPORT OF**  
**PETITION TO INTERVENE**

I am over the age of eighteen years and fully capable of stating the following in support of my Petition to Intervene.

The Petition is based, in part, on my having a substantial financial interest (in excess of \$1 Million, principle plus accrued interest, as a creditor of Preferred) in Preferred. Consequently, the revocation of Preferred's licenses (its only substantive asset) and/or substantial forfeitures will be financially devastating for me. Additionally, I have had direct involvement in varying degrees (at times significant) at different points in Preferred's business endeavors. Consequently, my personal knowledge and direct involvement in certain of Preferred's business dealings may be beneficial in assisting the FCC in reaching the determinations that are the focus of this Proceeding.

The following are areas where I consider my involvement to have been significant.

- (3) **BUSINESS PLAN** -- I personally prepared a comprehensive business plan for certain of Preferred's operations.
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target company already had island-wide coverage, but with limited capacity and only traditional dispatch technology. In furtherance of this acquisition, I was involved as follows:

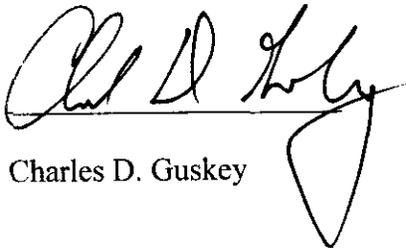
- (a) Participated in acquisition negotiations;
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One final comment supporting this Petition. One might think that my personal interests are the same as Preferred's, thus my interests will be adequately represented/protected by Preferred. This is not the case. Over two-and-a-half years ago, Preferred and I had what I'll describe as a "falling-out." Consequently, I have not spoken with or had any substantive interaction with anyone associated with Preferred since December 2004. The only interaction was a couple of e-mails/phone messages to set up a meeting that never occurred. As best I can recall, this was over a year ago.

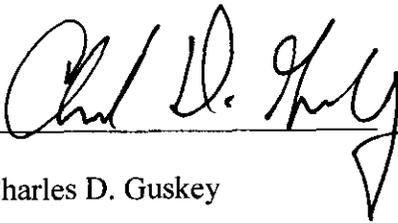
I declare under penalty of perjury that the foregoing is true and correct. Executed on August 30, 2007.

  
Charles D. Guskey

**Certificate of Service**

I, Charles D. Guskey, hereby certify that on this 30<sup>th</sup> day of August, 2007, I caused copies of the foregoing PETITION TO INTERVENE to be served on the following:

Hillary S. De Nigro  
Chief, Investigations and Hearing Division  
Enforcement Bureau  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW – Room 4-C330  
Washington, D.C. 20554

  
\_\_\_\_\_  
Charles D. Guskey